

Practitioner's Docket No.: 789_070 CON2

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Toshikazu HIROTA and Takao OHNISHI

Ser. No.: 10/757,264

Group Art Unit: 1634

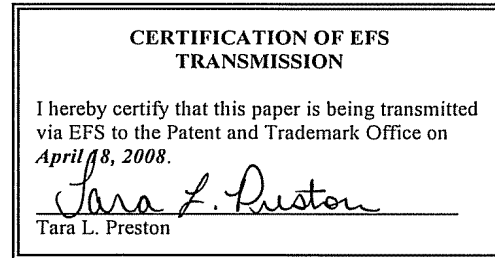
Filed: January 14, 2004

Examiner: Betty J. Forman

Confirmation No.: 4900

For: BIOCHIP

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450



SUBMISSION OF CO-SIGNED TERMINAL DISCLAIMER

Sir:

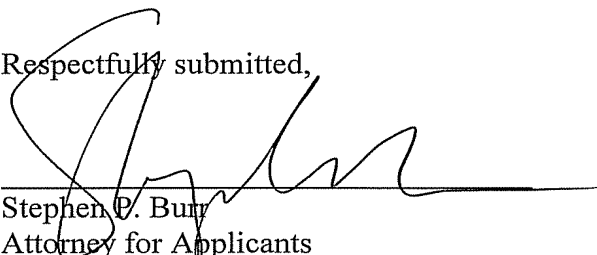
During a telephone conversation with Mr. Peter Paris on April 18, 2008, Applicants' undersigned representative was informed that the Terminal Disclaimer filed March 12, 2008 needed to be signed by an attorney having Power of Attorney in this application. Accordingly, a copy of that Terminal Disclaimer is filed herewith and has been signed by Applicants' undersigned representative who is listed on the Power of Attorney for this application.

Should Mr. Paris have any questions concerning this matter, he is requested to telephone Applicants' undersigned representative.

April 18, 2008

Date

Respectfully submitted,


Stephen P. Burr
Attorney for Applicants
Reg. No. 32,970

SPB/tlp

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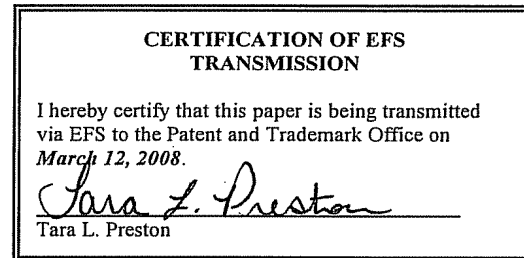
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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A PRIOR PATENT

Sir:

Your petitioner, NGK Insulators, Ltd., residing at 2-56, Suda-cho, Mizuho-ku, Nagoya-city, Aichi-prefecture, 467-8530, Japan, represents that it is the owner of the entire right, title and interest in U.S. Patent Application Serial No. 10/757,264, filed January 14, 2004. Except as provided below, petitioner hereby disclaims the terminal part of any patent granted on the above-identified application, which would extend beyond the expiration date of U.S. Patent No. 6,753,144, and hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that the legal title to said patent shall be the same as the legal title to U.S. Patent No. 6,753,144, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successor or assign.

In making the above disclaimer, petitioner does not disclaim the terminal part of any patent granted on the above-identified application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any

COPY

terminal disclaimer.

The undersigned has reviewed the patent application identified above and, to the best of undersigned's knowledge and belief, title is in the petitioner identified above.

The undersigned is an attorney of record.

FEE STATUS
(37 C.F.R. § 1.20(d))

<input checked="" type="checkbox"/>	Other than a small entity	\$130.00
<input type="checkbox"/>	Small entity	\$ 65.00

FEE PAYMENT

<input type="checkbox"/>	Attached is a check in the sum of \$ _____.
<input type="checkbox"/>	Charge Deposit Account 50-1446 the sum of \$ _____.
<input checked="" type="checkbox"/>	The Total Fees Due were paid via EFS on Form PTO 875.
<input checked="" type="checkbox"/>	Charge Account <u>50-1446</u> for any fee deficiency.

Respectfully submitted,


March 12, 2008

Date

Stephen P. Burr

Stephen P. Burr
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Reg. No. 32,970

Timothy D. Evans
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